

August 1, 2007

Magistrate Judge Joseph C. Spero
U.S. Dist. Court for the Northern Dist. of California
450 Golden Gate Avenue
16th Floor
San Francisco, California 94102

Via ECF

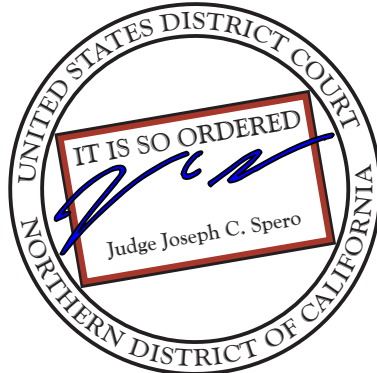
Re: *Hardee v. United States*, Case No. 3:07-mc-80134

Dear Judge Spero:

Attorney Robert Barnes is in Russia. I am available to participate at the teleconference scheduled for Friday, August 3 in his stead. While Attorney Barnes alone entered an appearance on behalf of the Petitioner Ricky Hardee in this action, I represent Hardee as Barnes's co-counsel in the Hardee's other matters. I am fully versed in this case and have full authority to bind Hardee in this matter. If the court is uncomfortable with this arrangement, I would be pleased to enter a formal appearance and apply for admission pro hac vice.

The Court should also know that I have contacted the assigned Assistant United States Attorney and am hopeful the matter can be dismissed by consent well before the scheduled August 24th.

Dated: Aug. 2, 2007



Sincerely,

Brian H. Mahany
Attorney and Counselor at Law

cc: Asst. U.S. Attorney Thomas Moore (via ECF)
Ricky Dean Hardee (via U.S. Mail)